

EXHIBIT OO

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18 *Attorneys for Plaintiff*

19 **UNITED STATES DISTRICT COURT**
20 **EASTERN DISTRICT OF WASHINGTON**

21 JESSE REYES, DANIEL REYNOSO, LEAGUE
22 OF UNITED LATIN AMERICAN CITIZENS,
23 LATINO COMMUNITY FUND OF
24 WASHINGTON

25 Plaintiffs,

26 vs.

27 BRENDA CHILTON, et al.

28 Defendants.

Case No.: 4:21-cv-05075-MKD

**PLAINTIFF LATINO COMMUNITY FUND
OF WASHINGTON'S AMENDED AND
SUPPLEMENTAL RESPONSES AND
OBJECTIONS TO DEFENDANTS' FIRST
INTERROGATORIES**

1 Further, Plaintiff believes that further witness testimony, including deposition testimony, will
2 provide facts in support of Plaintiff's claims.

3
4 **INTERROGATORY NO. 14:**

5 Please describe fully the terms of the injunction you seek against each of Benton County,
6 Chelan County, and Yakima County.

7 **RESPONSE:**

8 Plaintiff objects to this interrogatory on the grounds that it is overbroad, burdensome and
9 premature at this stage in the litigation. *See In re eBay Seller Antitrust Litig.*, No. C 07-1882, 2008
10 WL 5212170, at *2 (N.D. Cal. Dec. 11, 2008); *In re Convergent Securities Litig.*, 108 F.R.D. 328,
11 332-38 (N.D. Cal. 1985); *See also Olson v. City of Bainbridge Island*, No. C08-5513RJB, 2009 WL
12 1770132, at *4 (W.D. Wash. June 18, 2009) (upholding "overly broad" objection to contention
13 interrogatory which requested "all facts and all evidence" supporting a particular allegation); *See*
14 *also Advocare Int'l, L.P. v. Scheckenbach*, No. C08-5332 RBL, 2009 WL 3064867, at *1 (W.D.
15 Wash. Sept. 24, 2009) ("Numerous federal courts have held that contention interrogatories which
16 systematically track all of the allegations in an opposing party's pleadings, and that ask for each and
17 every fact and application of law to fact that supports the party's allegations are an abuse of the
18 discovery process because they are overly broad and unduly burdensome.") (internal quotations
19 omitted). Plaintiff also objects to the interrogatory on the grounds that it calls for expert testimony
20 prior to the deadline of the exchange of expert reports in violation of Fed. R. Civ. P. 26.

21 Subject to and without waiving the foregoing objections, Plaintiff responds as follows:
22 Plaintiff expects that materials in forthcoming expert reports will be responsive. Plaintiff intends to
23 provide a response to this interrogatory by January 20, 2023 assuming discovery deadlines do not
24 change. Should additional information surface in light of continuing discovery obligations, Plaintiff
25 reserves the right to supplement or respond thereafter.

SUPPLEMENTAL RESPONSE:

Plaintiff is seeking a permanent injunction against Benton, Chelan, and Yakima Counties that would declare the application of the signature verification process RCW 29A.40.110 violative of the United States Constitution and of Section 2 of the Federal Voting Rights Act, 52 U.S.C. § 10301. Plaintiff seeks to enjoin Defendants, their agents and successors, and all persons acting in concert with, or as agents of, any Defendants from implementing RCW 29A.40.110 and WAC 434-261-050 in future elections.

INTERROGATORY NO. 15:

If you contend that an in-person voting regime, such as was commonly found in 1982, imposed fewer burdens on participation by Latinx voters than does a vote-by-mail regime in which voter identity is confirmed by matching the signature on the ballot declaration with the signature in the voter registration file, please describe fully Your basis for this contention.

RESPONSE:

Plaintiff objects to this interrogatory on the grounds that it does not accurately reflect Plaintiff's contentions. Plaintiff objects to this interrogatory on the grounds that it is overbroad, burdensome and premature at this stage in the litigation. *See In re eBay Seller Antitrust Litig.*, No. C 07-1882, 2008 WL 5212170, at *2 (N.D. Cal. Dec. 11, 2008); *In re Convergent Securities Litig.*, 108 F.R.D. 328, 332-38 (N.D. Cal. 1985); *See also Olson v. City of Bainbridge Island*, No. C08-5513RJB, 2009 WL 1770132, at *4 (W.D. Wash. June 18, 2009) (upholding "overly broad" objection to contention interrogatory which requested "all facts and all evidence" supporting a particular allegation); *See also Advocare Int'l, L.P. v. Scheckenbach*, No. C08-5332 RBL, 2009 WL 3064867, at *1 (W.D. Wash. Sept. 24, 2009) ("Numerous federal courts have held that contention interrogatories which systematically track all of the allegations in an opposing party's pleadings, and that ask for each and every fact and application of law to fact that supports the party's allegations are an abuse of the discovery process because they are overly broad and unduly burdensome.") (internal

information and “members” is not defined and could include a multitude of different groups of people, ranging, for example, from those who may have signed up for email updates from Plaintiff to those who have organizational voting rights. Plaintiff further objects on the grounds that the interrogatory is overbroad, burdensome, oppressive, and not proportional to the needs of the case because it requires Plaintiff to describe the efforts of all of its member to vote in-person. Plaintiff also objects to the interrogatory the extent Defendants have exclusive or equal access to such information and/or to the extent the requested information is publicly available.

SUPPLEMENTAL RESPONSE:

Plaintiff does not assist voters to vote in-person in the Defendant counties. Plaintiff assists voters who vote by-mail as Washington State conducts all its elections by a mail-in voting regime.

Dated: May 1, 2023

/s/ Mark H. Troutman

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VERIFICATION OF INTERROGATORY ANSWERS

I, Cristina Ortega, am the Statewide Manager for Civic Engagement and Advocacy of Latino Community Fund and as such I am authorized to make this verification. I declare that I have read and know the contents of the foregoing **Plaintiff Latino Community Fund of Washington's Amended and Supplemental Responses and Objections to Defendant's First Interrogatories** and believe them to be true and correct.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 3 day of May 2023, at Yakima, WA.
(City, State)

Cristina Ortega

Cristina Ortega

Signature Certificate

Reference number: WOU7C-SB3ZT-UZNY2-EHJPB

Signer

Timestamp

Signature

Cristina Ortega

Email: cristina@latinocommunityfund.org
Shared via link

Sent:

03 May 2023 21:51:45 UTC

Viewed:

03 May 2023 21:52:28 UTC

Signed:

03 May 2023 22:04:33 UTC



IP address: 131.150.195.172

Location: Yakima, United States

Document completed by all parties on:

03 May 2023 22:04:33 UTC

Page 1 of 1



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